

Handwritten initials/signature

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION		Docket No.: ABB01259P00350US
Applicant(s): Rajneesh Taneja et al.		
Serial No.: 10/611,584	Filing Date: July 1, 2003	
Invention: Dose Titratable Liquid Dosage Forms of Acid Labile Drugs		

The owner*, TAP Pharmaceuticals Products, Inc. of 100% (percent) interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/611,044 filed on July 1, 2003, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

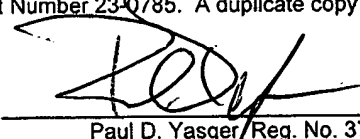
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1. ☐ For submission on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record.
- ☒ Terminal Disclaimer fee under 37 CFR 1.20(d) is enclosed in the amount of: ☐ \$65.00 (small entity)
☒ \$130.00 (large entity)
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 23-0785. A duplicate copy of this sheet is enclosed.



Paul D. Yasger/Reg. No. 37,477

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* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rajneesh Taneja *et al.*

Serial No.: 10/611,584

Filed: July 1, 2003

For: Dose Titrateable Liquid Dosage Forms of
Acid Labile Drugs

Attorney Docket No.: ABB01259P00350US

Examiner: Pili Asabi Hawes

Group Art Unit: 1615

Certificate of Mailing:

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being sent by first class mail to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on September 8, 2006.


Laura Czech

TRANSMITTAL LETTER

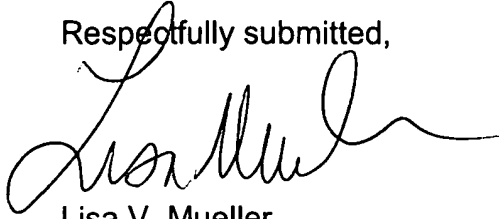
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the Amendment filed on August 31, 2006 in the above-identified application, enclosed herewith is an executed terminal disclaimer and a check in the amount of \$130.00. Entry into the record is respectfully requested.

Should the Examiner have any questions concerning the above, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below. If the Examiner notes any matters which the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lisa V. Mueller", with a long horizontal flourish extending to the right.

Lisa V. Mueller

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